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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN MARTIN

Case No.: CV-08-04853 EMC

Plaintiff,

**STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS**

vs.

RICOH AMERICAS CORPORATION, and  
DOES 1-50, inclusive

Defendants.

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5;

The parties agree to participate in the following ADR process:

**Court Processes:**

- ☐ Non-binding Arbitration (ADR L.R. 4)  
☒ Early Neutral Evaluation (ENE) (ADR L.R. 5)  
☐ Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

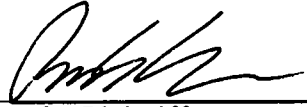
**Private Process:**

☐ Private ADR (please identify process and provider)

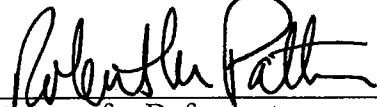
The parties agree to hold the ADR session by:

- ☒ the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)  
☐ other requested deadline \_\_\_\_\_

1 Dated: January 1, 2009

  
Attorney for Plaintiff  
RANDALL E. STRAUSS

2  
3  
4 Dated: January 16, 2009

  
Attorney for Defendant

5  
6 **[PROPOSED] ORDER**

7 Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- 8 ☐ Non-binding Arbitration  
9 ☒ Early Neutral Evaluation (ENE)  
10 ☐ Mediation  
11 ☐ Private ADR  
12 Deadline for ADR session  
13 ☒ 90 days from the date of this order  
14 ☐ other \_\_\_\_\_

15 IT IS SO ORDERED.

16 DATED: January 22, 2009

  
UNITED STATES MAGISTRATE JUDGE